

IN RE: JUAN L SANCHEZ MEDINA

Bkrtcy. No. 10-11268-MCF

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES
AND REPORT ON CONFIRMATION

Petition Filing Date: <u>Nov 30, 2010</u>	Meeting Date: <u>Jan 10, 2011</u>	DC Track No. <u>11</u>
Days from petition date: <u>41</u>	Meeting Time: <u>11:00 AM</u>	
910 Days before Petition: <u>6/3/2008</u>	<input type="checkbox"/> Chapter 13 Plan Date: <u>Dec 07, 2010 Dkt.# 2</u>	<input type="checkbox"/> Amended.
This is debtor(s) <u>2nd</u> Bankruptcy petition. <u>wife's bankruptcy is still in effect</u> Plan Base: <u>\$16,500.00</u>		
This is the <u>1st</u> Scheduled Meeting	Confirmation Hearing Date: <u>Feb 24, 2011</u>	Time: <u>1:30 PM</u>
Payment(s) <input type="checkbox"/> Received or <input checked="" type="checkbox"/> Evidence shown at meeting:	Ck/MO No. <u>14232128880</u> Date <u>12/28/2010</u> Amount <u>275.00</u>	Total Paid In: <u>\$0.00</u>

I. <u>Appearances:</u>		<input type="checkbox"/> Telephone <input type="checkbox"/> Video Conference	<input type="checkbox"/> Creditor(s) present: <input checked="" type="checkbox"/> None.
<input checked="" type="checkbox"/> Debtor Present	<input checked="" type="checkbox"/> ID & Soc. OK	<input type="checkbox"/> Debtor Absent	
<input type="checkbox"/> Joint Debtor Present	<input type="checkbox"/> ID & Soc. OK	<input type="checkbox"/> Joint Debtor Absent	
Debtor(s) was/were <input checked="" type="checkbox"/> Examined	<input type="checkbox"/> Not Examined under oath.		
Attorney for Debtor(s) <input checked="" type="checkbox"/> Present	<input type="checkbox"/> Not Present		
<input type="checkbox"/> Substitute attorney:	<input type="checkbox"/> Pro-se.		

II. Attorneys Fees as per R 2016(b) Statement		Attorney of record: <u>CARLOS C ALSINA BATISTA*</u>
Total Agreed: <u>\$3,000.00</u>	Paid Pre-Petition: <u>\$251.00</u>	Outstanding: <u>\$2,749.00</u>
		THROUGH THE PLAN

III. Trustee's will file Motion to Dismiss: <input type="checkbox"/> For Failure to appear; <input type="checkbox"/> For Failure to commence payments.
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IV. Trustee's Report on Confirmation & Status of §341 Meeting	
Debtor(s) Income is (are) <input type="checkbox"/> Under <input checked="" type="checkbox"/> Above Median Income.	Liquidation Value: <u>\$ 456.00</u>
Commitment Period is <input type="checkbox"/> 36 <input checked="" type="checkbox"/> 60 months. [§1325(b)(1)(B)]	Gen. Unsecured Pool: <u>0</u>
<u>9.89%</u> The Trustee <input type="checkbox"/> RECOMMENDS <input checked="" type="checkbox"/> OBJECTS	Plan confirmation.
§341 Meeting <input type="checkbox"/> CONTINUED <input type="checkbox"/> NOT HELD <input checked="" type="checkbox"/> CLOSED <input type="checkbox"/> HELD OPEN FOR ___ DAYS	
§341 Meeting Rescheduled for: _____	

V. Trustee's OBJECTIONS to Confirmation:	
<input checked="" type="checkbox"/> FEASIBILITY [§1325(a)(6)]	<input type="checkbox"/> INSUFFICIENTLY FUNDED <input type="checkbox"/> To pay §507 <input type="checkbox"/> Fails Creditor's Best Interest Test §1325(A)(4)
<input type="checkbox"/> FAILS DISPOSABLE INCOME REQUIREMENTS	<input type="checkbox"/> Tax returns requirements. [§1308]
<input type="checkbox"/> Failure to comply with DSO requirements	<input type="checkbox"/> Plan not filed in Good Faith §1325(a)(3) <input type="checkbox"/> Unfair Discrimination §1322(a)(3)

ADDITIONAL OBJECTIONS / COMMENTS:

1) Debtor will amend Schedule A to state that property has a value of \$122,000.00.

2) Debtor has requested cramdown of vehicle paid in full through the plan. If the plan cannot be confirmed until such matter is resolved.

/s/ José R. Carrión
Trustee

AMC
Presiding Officer